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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,065	10/31/2003	James A. Parker		2600

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EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/699,065	Applicant(s) PARKER ET AL.	
	Examiner Baoquoc N. To	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 30-36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/31/03 01/04/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-36 are presented for examination.

Election/Restrictions

2. Restriction to one of the following invention is required under 35 U.S.C. 121
 - I. Claims 1-29 are drawn to updating the files with different version, which is classified in Class 707, subclass 203.
 - II. Claims 30-36 are drawn transmission files using e-mail for updating, which is classified in Class 709, subclass 206.
3. Inventions I and II are related as subcombinations disclosed as usable together a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I is drawn to updating the files with different version. The e-mail transmission of files for updating in invention II to demand the updating based on the sent message. See M.P.E.P 806.05(d)
4. Because of the inventions are distinct for the given reasons and have acquired in a separate status in the art as show by their different classification, restriction for examination purposes as indicated is proper.

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5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. Application is reminded that upon cancellation of claims in compliance with 37 C.F.R. 1.48(b) if one or more of the currently named inventor is no longer an inventor of at least one claim remaining in the application. Any amendment of inventor ship must be accompanied by a diligently-file petition under 37 C.F.R 1.48(b) and by fee required 37 C.F.R. 1.17(h)

7. Response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communication or (571) 272-8300 for informal or draft communications. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

8. During the telephonic election requirement on April 10, 2006, Mr. Louis T. Hoffman, Reg. No. 38, 918 elected group I without traversed consisting claims 1-29 for purpose of examination

Claims 1-29 are being examined.

Information Disclosure Statement

9. The information disclosure statement (IDS) submitted on 10/31/2003 and 01/24/2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner; however, there are two PCT references are missing. Please resubmit two missing (T WO 01/97089 and X WO 98/58332) for reconsideration.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1-26 are rejected under 35 U.S.C. 102(a) as being anticipated by Chandhok et al. (WO 01/16804 A2).

Regarding on claims 1, 19 and 29, Chandhok teaches a method for facilitating collaborative updating of a file, the method comprising:

accepting from one of the plurality of users, and storing a first data set (i) representing a first version of the file (col. 5, lines 4-6) and (ii) designating one or more recipient of the initial version (col. 5, lines 30-35)

then, for each one of a plurality of sequentially updated versions of the file:

accepting, from one plurality of users, a second data set (i) representative of different between the updated version of the file and an immediately previous version of the file (col. 5, lines 16-17) and (ii) designating one or more recipients of the updated version (col. 35, lines 30-35); and

transmitting a third data set representative of the updated version of the file to the recipient of the updated version designed by the second data set (col. 5, lines 32-34);

wherein for each recipient designed by the second data who access the immediately previous version of the file, the immediately previous version of the file, the third data set consists substantially of the different between the updated version of the file and previous version of the file (col. 5, lines 30-35).

Regarding on claims 2 and 20, Chandhok teaches the method of claim 1 further comprising, before accepting the first data set:

having one of the users originate an original version of the file (col. 5, lines 13-15); and

then accepting a plurality of sequential updated versions of the file prior to the first version (col. 5, lines 17-29).

Regarding on claims 3 and 21, Chandhok teaches the method of claim 1 wherein for each recipient of the of the updated version who was not also designated as a

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recipient of the previous of the previous version, the third data set consist substantially of the file as updated (col. 5, lines 33-35).

Regarding on claims 4 and 22, Chandhok teaches the method of claim further comprising storing the data sets as data files within a hierarchical structure of directories (col. 5, lines 10-12).

Regarding on claims 5 and 23, Chandhok teaches the method of claim 4 further comprising generating a plausible unique identification code associated with the file, wherein each directory includes in its name at least a portion of the identification code (col. 5, lines 10-12).

Regarding on claims 6 and 24, Chandhok teaches the method of claim 5 wherein the identification code includes digits that are of a statistically uniform distribution (col. 5, lines 10-12).

Regarding on claims 7 and 25, Chandhok teaches the method of claim 4 further comprising, for each of the plurality of users, generating plausible unique identification code associated with the user, wherein each data file includes in its name at least a portion of an identification code associated with one of the plurality of users (e-mail addresses) (col. 5, lines 1-3).

Regarding on claims 8 and 26, Chandhok teaches a method of claim 1 wherein difference data of the second data set includes data identifying bytes of the version that differ (col. 7, lines 10-20).

Regarding on claims 9 and 27, Chandhok teaches the method of claim 1, wherein different data of the second data set includes data identifying block of the versions that differ (col. 7, lines 10-20).

Regarding on claims 10 and 28, Chandhok teach the method of claim 1 further comprising:

providing a file server accessible to all the plurality of users (users access to local workgroup files) (col. 6, lines 15-18); and

having the file server accept and transmit the first, second, and third data sets (col. 6, lines 18-21.

Regarding on claim 11, Chandhok eaches the method of claim 10 further comprising:

providing an e-mail server accessible to all the plurality of users (user access to the e-mail server) (col. 5, lines 1-3);

having the e-mail server relay e-mail message among the plurality of users, wherein the e-mail message each include a reference by which designated recipient can retrieve a data set from the file server (col. 5, lines 30-35).

Regarding on claim 12, Chandhok teaches the method recited in claim 11 wherein references are attachments that each contain code implementing a direct file access module (col. 6, lines 25-30).

Regarding on claim 13, Chandhok teaches a method in claim 11 wherein the e-mail message each further include a message encoded with data stream having a series of frames, the frames comprising:

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a message recipient frame (col. 5, lines 30-35);

a file viewer frame including a header (col. 5, lines 25-26); and

a file editor frame including a header (col. 5, lines 25-26);

wherein at least one of the viewer and editor frame include (1) for the viewer frame, data identifying a viewer authorized the view of the file and (2) for the editor frame, data identifying an editor authorized to modify the file (col. 5, lines 30-35).

Regarding on claim 14, Chandhok teaches the method of claim 10 further storing the data sets as data files within a hierarchical structure of directories (col. 5, lines 10-12).

Regarding on claim 15, Chandhok teaches the method of claim 14 further comprising generating a plausible unique identification code associated with the file, wherein each directory includes in its name at least a portion of the identification code (col. 5, lines 10-12).

Regarding on claim 16, teaches of claim 15 wherein the identification code includes digits that are of statistically uniform distribution (col. 5, lines 10-12).

Regarding on claim 17, teaches the method of claim 10 further comprising having the file server store data in a separate file data set for each one of the plurality of users (col. 7, lines 5-10).

Regarding on claim 18, teaches the method of claim 17 further comprising, for each one of the plurality of users, generating a plausible unique identification code associated with the user, wherein each file data set includes in its name at least a

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portion of an identification code associated with one of the plurality of user (col. 7, lines 5-17).

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

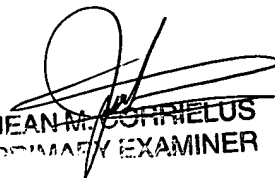
Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) –273-8300 [Official Communication]

BQ To

June 11th, 2006


JEAN M. CORNEILUS
PRIMARY EXAMINER